

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

CHARLES MORROW, *et al.*,

Plaintiffs,

v.

FLOWERS FOODS, INC., *et al.*,

Defendants.

)
)
)
)
)
)
)
)
)
)

CASE NO: 3:07-cv-00617-MHT

DEFENDANTS' WITNESS LIST PURSUANT TO FED.R.EVIDENCE 701

COME NOW Defendants, Flowers Foods, Inc., Flowers Baking Co. of Thomasville, LLC, and Flowers Baking Co. of Opelika, LLC, pursuant to this Court's Uniform Scheduling Order dated September 13, 2007, and submits its witness list pursuant to Fed.R.Evidence 701.

1. Steve Bordeaux
President
Flowers Baking Co. of Opelika, LLC
c/o Defendants' Counsel Ogletree Deakins
2. Michael Lord
Vice President of Sales
Flowers Baking Company of Opelika, LLC
c/o Defendants' Counsel Ogletree Deakins
3. Mickey Miller
President
Flowers Baking Co. of Thomasville, LLC
c/o Defendants' Counsel Ogletree Deakins
4. Norris McDaniel
Vice President of Sales
Flowers Baking Co. of Thomasville, LLC
c/o Defendants' Counsel Ogletree Deakins

5. Chuck Rich
Vice President of Distributor Operations
Flowers Foods Bakeries Group, LLC
c/o Defendants' Counsel Ogletree Deakins
6. Karyl Lauder
Vice President and Chief Accounting Officer
Flowers Foods, Inc.
c/o Defendants' Counsel Ogletree Deakins
7. David Roach
President
Flowers Baking Co. of Villa Rica, LLC
c/o Defendants' Counsel Ogletree Deakins
8. Grady Messer
Director of Sales
Flowers Baking Company of Opelika, LLC
c/o Defendants' Counsel Ogletree Deakins
9. Jerry Woodham
Controller
Flowers Baking Company of Opelika, LLC
c/o Defendants' Counsel Ogletree Deakins
10. Ricky Ward
Director of Sales
Columbus, Georgia Warehouse
Flowers Baking Company of Opelika, LLC
c/o Defendants' Counsel Ogletree Deakins
11. Johnny Shepard
Director of Distributor Relations
Flowers Baking Co. of Thomasville, LLC
c/o Defendants' Counsel Ogletree Deakins
12. Bonnie Harrison
Controller
Flowers Baking Co. of Thomasville, LLC
c/o Defendants' Counsel Ogletree Deakins

13. John Renfroe
Sales Manager, Branch 64
Montgomery/Troy Warehouse
Flowers Baking Co. of Opelika, LLC
c/o Defendants' Counsel Ogletree Deakins
14. Calvin Rhodes
Former President
Flowers Baking Co. of Opelika, LLC
c/o Defendants' Counsel Ogletree Deakins
15. Vyto Razminas
Chief Information Officer and Vice President of Business and Information
Systems
Flowers Foods, Inc.
c/o Defendants' Counsel Ogletree Deakins
16. Don Adkins
Distributor Coordinator
Flowers Baking Co. of Opelika, LLC
c/o Defendants' Counsel Ogletree Deakins
17. Charles Morrow
18. Michael Overton
19. James Marty Smith
20. Dwayne Cleveland
21. Michael Smith
22. Mark Murphy
23. Doug Branch
24. Lew Baxter
25. Ricky Small
26. Melvin Snow
27. Greg Patisaul
28. Gary Chambliss

Defendants reserve the right to call witnesses identified on Plaintiffs' witness list to the extent not otherwise objected to by Defendants.

Defendants reserve the right to supplement this witness list.

Defendants reserve the right to call as rebuttal and/or impeachment witnesses individuals not named herein.

Defendants reserve the right to present the testimony of a witness by deposition should the witness be unavailable at the time of trial.

Respectfully submitted this 17th day of April, 2008.

/s/ Kevin P. Hishta

Kevin P. Hishta
Georgia Bar No. 357410
Admitted *Pro Hac Vice*
OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.
Bank of America Plaza
600 Peachtree Street, NE
Suite 2100
Atlanta, GA 30308
E-mail: Kevin.Hishta@ogletreedeakins.com
(404) 881-1300
(404) 870-1732 Fax

Sandra B. Reiss
Alabama Bar No. ASB-3650-S80S
**OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.**
One Federal Place, Suite 1000
1819 Fifth Avenue North
Birmingham, Alabama 35203-2118
e-mail: Sandra.Reiss@odnss.com
Ph. (205) 328-1900; Fax: (205) 328-6000

*Counsel for Defendants, Flowers Foods, Inc.
Flowers Baking Co. of Opelika, LLC, and Flowers Baking
Co. of Thomasville, LLC*

CERTIFICATE OF SERVICE

I hereby certify that on this the 17th day of April, 2008, I electronically filed the foregoing Defendants' Witness List Pursuant to Fed.R.Evidence 701 with the Clerk of the Court using the CM/ECF system which will send notification of such filing to:

Greg L. Davis, Esq.
The Law Offices of Greg L. Davis
6987 Halcyon Park Drive
Montgomery, AL 36117

Joe R. Whatley, Jr., Esq.
Whatley Drake & Kallas, LLC
2001 Park Place North
Suite 1000
Birmingham, Alabama 35203

Joseph P. Guglielmo, Esq.
Whatley Drake & Kallas, LLC
1540 Broadway, 37th Floor
New York, New York 10036

Amy Lynne Weaver
Whatley Drake & Kallas, LLC
2001 Park Place North
Suite 1000
Birmingham, Alabama 35203

Glen M. Connor
Whatley Drake & Kallas, LLC
2001 Park Place North
Suite 1000
Birmingham, Alabama 35203

E. Kirk Wood, Esq.
Wood Law Firm, LLC
PO Box 382434
Birmingham, Alabama 35238-2434

/s/ Kevin P. Hishta
Kevin P. Hishta